

INTER-OFFICE COMMUNICATIONS

Palm Beach County, Florida

NOV 7 1985

TO: John Sansbury, County Administrator
Lisa Heasley, County Attorney's Office
Herb Kahlert, County Engineer
David Bludworth, State Attorney
Joy Shearer, Asst. Attorney General
Captain Cook, Sheriff's Dept. -Civil
Frank Schulz, Sheriff's Office
Bob Basehart, Planning, Zoning & Bldg.
Bob Palchanis, Building Division, Director
Sandy Sprague, Assistant County Attorney
Patty Young -4th District Court of Appeals
Law Library
(2) County Library
Frank Palen, Zoning Dept.

DATE: November 6, 1985

FROM: John W. Dame, Chief Deputy Clerk

RE: PALM BEACH COUNTY ORDINANCE DISTRIBUTION

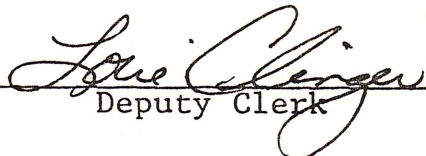
ORDINANCE NO. 85-36

TITLE REFERENCE:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA: AMENDING THE ZONING CODE OF PALM BEACH COUNTY, ORDINANCE 73-2, AS AMENDED, AS FOLLOWS: AMENDING SECTIONS 607 (RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT/MEDIUM DENSITY) AND SECTION 608 (RH-MULTIPLE FAMILY RESIDENTIAL DISTRICT/HIGH DENSITY) TO PERMIT THE ESTABLISHMENT OF MOBILE HOME RENTAL PARKS AND MOBILE HOME CONDOMINIUM PARKS AS SPECIAL EXCEPTION LAND USES; AMENDING THE PROPERTY DEVELOPMENT REGULATIONS IN SECTION 500.22 (MOBILE HOME RENTAL PARK) AND SECTION 500.24 (MOBILE HOME CONDOMINIUM PARK) TO SPECIFY APPROPRIATE DEVELOPMENT DENSITY AND PROPERTY DEVELOPMENT REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

Attached is a copy of the above referenced Ordinance of Palm Beach County. This Ordinance has been filed with Florida Department of State and forwarded to Municipal Code Corporation for codification. The effective date is November 4, 1985 at 1:27 P.M.

Signed


Deputy Clerk

JWD:

Attachment

* cc: Commissioners, BCC
Clerk
Minutes

*If a complete copy of ordinance is needed, please advise this office and we will be happy to provide a copy.

ORDINANCE NO. 85-36

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA: AMENDING THE ZONING CODE OF PALM BEACH COUNTY, ORDINANCE 73-2, AS AMENDED, AS FOLLOWS: AMENDING SECTIONS 607 (RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT/MEDIUM DENSITY) AND SECTION 608 (RH-MULTIPLE FAMILY RESIDENTIAL DISTRICT/HIGH DENSITY) TO PERMIT THE ESTABLISHMENT OF MOBILE HOME RENTAL PARKS AND MOBILE HOME CONDOMINIUM PARKS AS SPECIAL EXCEPTION LAND USES; AMENDING THE PROPERTY DEVELOPMENT REGULATIONS IN SECTION 500.22 (MOBILE HOME RENTAL PARK) AND SECTION 500.24 (MOBILE HOME CONDOMINIUM PARK) TO SPECIFY APPROPRIATE DEVELOPMENT DENSITY AND PROPERTY DEVELOPMENT REGULATIONS; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF LAWS AND ORDINANCES; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Chapter 125 (County Government), Section 125.01 of Florida Statutes establish the right and power of counties to provide for the health, welfare, and safety of existing and future residents by enacting and enforcing zoning and business regulations; and

WHEREAS, Chapter 163 (Intergovernmental Programs), Part II (Local Government Comprehensive Planning and Land Development Regulation Act) of Florida Statutes provides that counties shall have power and responsibility to plan comprehensively for their future development and growth, including the adoption and implementation of appropriate land development regulations which are necessary or desirable to implement a comprehensive plan, as provided in Section 163.3202(2)(f) of Florida Statutes; and

WHEREAS, Mobile Home Rental Parks and Mobile Home Condominium Parks are, at present, permitted to be established by the Palm Beach County Zoning Code only in the RS-Residential Single Family District; and

WHEREAS, this limitation has discouraged conversion of
CODING: Words struck through are deletions from existing law; words underlined are additions to existing law.

1 existing Mobile Home Rental Parks into Mobile Home Condominium
2 Parks and the establishment of new sites for the construction of
3 residential facilities for mobile homes which meet both the
4 property development regulations established in the Palm Beach
5 County Zoning Code and the development density guidelines
6 established in the Palm Beach County Comprehensive Plan; and

7
8 WHEREAS, there is a demonstrated need to expand
9 opportunities for the conversion or construction of Mobile Home
10 Rental Parks and Mobile Home Condominium Parks by the private
11 sector; and

12
13 WHEREAS, this need may be addressed by: (1) expanding the
14 number of zoning districts in which Mobile Home Rental Parks and
15 Mobile Home Condominium Parks are permitted; (2) modifying
16 property development regulations to encourage conversion and
17 reduce development costs; and (3) modifying residential density
18 standards to reflect those permitted by the Palm Beach County
19 Comprehensive Plan; and

20
21 WHEREAS, the Board of County Commissioners of Palm Beach
22 County, Florida, sitting as the Local Planning Agency, has
23 determined that these proposed amendments to the Palm Beach
24 County Zoning Code are consistent with the adopted Comprehensive
25 Plan of Palm Beach County, as required by Chapter 163, Section
26 163.3194(2)(a) of Florida Statutes;

27
28 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
29 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

30
31 SECTION 1. AMENDMENT OF THE PALM BEACH COUNTY ZONING
32 CODE, ORDINANCE 73-2, AS AMENDED, SECTION 607
33 (RM-MULTIPLE FAMILY RESIDENTIAL DISTRICT/ME-
34 DIUM DENSITY), SUBSECTION C (SPECIAL

EXCEPTIONS SUBJECT TO COMMISSION APPROVAL) TO
CODING: Words ~~struck through~~ are deletions from existing
law; words underlined are additions to existing law.

1 PROVIDE FOR THE ESTABLISHMENT OF MOBILE HOME
2 RENTAL PARKS AND MOBILE HOME CONDOMINIUM
3 PARKS.

4 The Palm Beach County Zoning Code, Ordinance 73-2, as
5 amended, Section 607 (Multiple Family Residential District/Medium
6 Density), Subsection C (Special Exceptions Subject to Commission
7 Approval) is amended to add the following terms at the end of the
8 list of land uses:

9
10 MOBILE HOME RENTAL PARK (MHRP)
11 (See Section 500.22)

12 MOBILE HOME CONDOMINIUM PARK (MHCP)
13 (See Section 500.24)

14 SECTION 2. AMENDMENT OF THE PALM BEACH COUNTY ZONING
15 CODE, ORDINANCE 73-2, AS AMENDED, SECTION 608
16 (RH-MULTIPLE FAMILY RESIDENTIAL DISTRICT/HIGH
17 DENSITY), SUBSECTION C (SPECIAL EXCEPTIONS
18 SUBJECT TO COMMISSION APPROVAL) TO PROVIDE
19 FOR THE ESTABLISHMENT OF MOBILE HOME RENTAL
20 PARKS AND MOBILE HOME CONDOMINIUM PARKS.

21 The Palm Beach County Zoning Code, Ordinance 73-2, as
22 amended, Section 608 (Multiple Family Residential District High
23 Density), Subsection C (Special Exceptions Subject to Commission
24 Approval) is amended to add the following terms at the end of the
25 list of land uses:

26
27 MOBILE HOME RENTAL PARK (MHRP)
28 (See Section 500.22)

29 MOBILE HOME CONDOMINIUM PARK (MHCP)
30 (See Section 500.24)

31 SECTION 3. AMENDMENT OF THE PALM BEACH COUNTY ZONING
32 CODE, ORDINANCE 73-2, AS AMENDED, SECTION
33 500.22 (MOBILE HOME RENTAL PARK), SUBSECTION
34 F (MHRP DEVELOPMENT DENSITY BY APPLICABLE

35 ZONING DISTRICT) TO ESTABLISH APPROPRIATE
CODING: Words ~~struck through~~ are deletions from existing
law; words underlined are additions to existing law.

1 RESIDENTIAL DENSITIES IN PERMITTED ZONING
2 DISTRICTS.

3
4 The Palm Beach County Zoning Code, Ordinance 73-2, as
5 amended, Section 500.22 (Mobile Home Rental Park), Subsection F
6 (MHRP Development Density by Applicable Zoning District), is
7 hereby amended to read as follows:

8
9 F. MHRP DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICT.
10 Notwithstanding any other provision of this Code, the
11 maximum residential density in a Mobile Home Rental
12 Park shall be determined by reference to the following
13 table:

14

<u>COMPREHENSIVE</u> <u>PLAN LAND USE</u> <u>CATEGORY</u>	<u>ZONING</u> <u>DISTRICT</u>	<u>MAXIMUM</u> <u>STANDARD</u> <u>DENSITY</u>
=====		
<u>Low-Medium</u>	<u>RS</u>	<u>7 units per acre</u>
<u>Medium-Medium High</u>	<u>RM</u>	<u>8 units per acre</u>
<u>Medium High-High</u>	<u>RH</u>	<u>12 units per acre</u>
=====		

15
16
17
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21 The gross residential density for a MHRP development shall
22 not exceed the maximum permitted as prescribed by the
23 following:

24
25 RS-RESIDENTIAL SINGLE FAMILY: 7 mobile home units
26 /gross acre

27
28 SECTION 4. AMENDMENT OF THE PALM BEACH COUNTY ZONING
29 CODE, ORDINANCE 73-2, AS AMENDED, SECTION
30 500.24 (MOBILE HOME CONDOMINIUM PARK),
31 SUBSECTION F (MHCP DEVELOPMENT DENSITY BY
32 APPLICABLE ZONING DISTRICT) TO ESTABLISH
33 APPROPRIATE RESIDENTIAL DENSITIES IN
34 PERMITTED ZONING DISTRICTS.

35 The Palm Beach County Zoning Code, Ordinance 73-2, as
36 amended, Section 500.24 (Mobile Home Condominium Park),

Subsection F (MHCP Development Density by Applicable Zoning District), is hereby amended to read as follows:

F. MHCP DEVELOPMENT DENSITY BY APPLICABLE ZONING DISTRICTS.

Notwithstanding any other provision of this Code, the maximum residential density in a Mobile Home Condominium Park shall be determined by reference to the following table:

<u>COMPREHENSIVE PLAN LAND USE CATEGORY</u>	<u>ZONING DISTRICT</u>	<u>MAXIMUM STANDARD DENSITY</u>
=====		
<u>Low-Medium</u>	<u>RS</u>	<u>7 units per acre</u>
<u>Medium-Medium High</u>	<u>RM</u>	<u>8 units per acre</u>
<u>Medium High-High</u>	<u>RH</u>	<u>12 units per acre</u>
=====		

(See Section 500.22, Subsection F for MHCP requirements.)

SECTION 5. AMENDMENT OF PALM BEACH COUNTY ZONING CODE, ORDINANCE 73-2, AS AMENDED; SECTION 500.24 (MOBILE HOME CONDOMINIUM PARK), SUBSECTION K.1 (PROPERTY DEVELOPMENT REGULATIONS FOR MHCP DEVELOPMENTS-RESIDENTIAL USES; MINIMUM LOT AREA AND DIMENSIONS) TO MODIFY PROVISIONS FOR MINIMUM LOT AREA AND DIMENSIONS.

The Palm Beach County Zoning Code, Ordinance 73-2, as amended, Section 500.24 (Mobile Home Condominium Park), Subsection K.1 (Property Development Regulations for MHCP Developments-Residential Uses; Minimum Lot Area and Dimensions) is amended to read as follows:

1 K. PROPERTY DEVELOPMENT REGULATIONS FOR MHCP DEVELOPMENTS-
2 RESIDENTIAL USES.

3 1. Minimum Lot Area and Dimensions.

4	=====				
5	ZONING DISTRICT	MINIMUM LOT AREA (Square feet)	MINIMUM LOT DIMENSIONS (INTERIOR LOT)	MINIMUM LOT DIMENSIONS (CORNER LOT)	MINIMUM FRONTAGE
6	=====				
7	RS	4000 sf	40' x 90'	45' x 90'	40 feet
	RM	4000 sf	40' x 90'	45' x 90'	40 feet
8	RH	4000 sf	40' x 90'	45' x 90'	40 feet

10 Nothing in this Subsection shall be interpreted to prevent the
11 organization of homeowners within a mobile home subdivision into
12 a cooperative or condominium relationship pursuant to the laws of
13 the State of Florida. If the mobile home subdivision is organized
14 as a condominium pursuant to the laws of the State of Florida,
15 it need not observe the minimum lot area and lot dimensions
16 established in this Subsection K.1.

17 Area	6000 square feet
18 Width (Interior)	60 feet
19 Width (Corner)	70 feet
20 Depth	100 feet
21 Frontage	60 feet

22 SECTION 6. REPEAL OF LAWS IN CONFLICT.

23 All local laws and ordinances applying to Palm Beach County
24 in conflict with any provisions of this ordinance are hereby
25 repealed.

26 SECTION 7. SEVERABILITY.

27 Should any section, paragraph, sentence, clause, or word of
28 this ordinance be held to be unconstitutional, inoperative, or
29 void, such holding shall not affect the validity of the remainder
30 of this ordinance.

31 SECTION 8. INCLUSION IN CODE.

32 The provisions of this ordinance shall become and be made a
33 part of the Code of Laws and Ordinances of Palm Beach County,
34 Florida, and the various sections may be retitled, renumbered, or

relettered to accomplish this purpose.

SECTION 9. EFFECTIVE DATE.

The provisions of this ordinance shall become effective upon receipt of acknowledgment by the Department of State of the State of Florida.

APPROVED AND ADOPTED by the Board of County Commissioners of Palm Beach County, Florida, on this 22nd day of October, 1985.

PALM BEACH COUNTY, FLORIDA, BY ITS
BOARD OF COUNTY COMMISSIONERS:

By: [Signature]
Chairman

Acknowledged by the Department of State of the State of Florida, on this, the 31st day of October, 1985.

EFFECTIVE DATE: Acknowledgment received from the Department of State of the State of Florida, this 4th day of November, 1985, at 1:27 P.M., and filed in the Office of the Clerk of the Board of County Commissioners of Palm Beach County, Florida.

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

By: [Signature]
County Attorney

STATE OF FLORIDA, COUNTY OF PALM BEACH,
I, JOHN B. DUNKLE, ex officio Clerk of the
Board of County Commissioners certify this to
be a true and correct copy of the original filed in
my office on October 22, 1985
DATED at West Palm Beach, FL on 11/5/85
JOHN B. DUNKLE
By: [Signature] D.C.
Deputy Clerk

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